

**Alexandria Township
Land Use Board
Meeting Minutes September 17, 2020**

Chair Phil Rochelle called the regular scheduled meeting of the Alexandria Township Land Use Board to Order at 7:32pm. The meeting was duly noticed.

MEMBERS PRESENT: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Tucker, Deputy Mayor Kiernan, Mr. Giannone, Kimsey, and Hahola

MEMBERS ABSENT: Committeeman Pfefferle and Pauch

OTHERS PRESENT: Kara Kaczynski-Board Attorney, Tom Decker-Board Engineer, and David Banisch – Board Planner

Approval of the August 20, 2020 Meeting Minutes

A motion to approve the August 20, 2020 meeting minutes was made by **Canavan** and seconded by **Kimsey**. **Vote: Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Tucker, Deputy Mayor Kiernan, and Kimsey. Abstain: Giannone and Hahola. No Nays. Motion Carried.**

New and Pending Matters

- **Schapiro – Variance – Resolution of Approval**
Block 6 Lot 11.13
1 Hilltop Road

ALEXANDRIA TOWNSHIP

LAND USE BOARD

**RESOLUTION REGARDING THE APPLICATION OF KENNETH AND LISA
SCHAPIRO WITH RESPECT TO PROPERTY LOCATED AT 1 HILLTOP ROAD AND
SHOWN AS BLOCK 6, LOT 11.13 ON THE ALEXANDRIA TOWNSHIP TAX MAP**

WHEREAS, Kenneth and Lisa Schapiro (the “Applicant”) made application (the “Application”) to the Alexandria Township Land Use Board (the “Board”); and

WHEREAS, the property which is the subject of the Application is identified on the Tax Map of Alexandria Township (the “Township”) as Block 6, Lot 11.13 and is more commonly known as 1 Hilltop Road, Alexandria Township, New Jersey (hereinafter referred to as the “Property”); and

WHEREAS, the Property is located within the Township’s Agricultural Residential (“AR”) District and fronts on Hilltop Road; and

WHEREAS, the Applicant is also the owner of the Property; and

WHEREAS, the Application requested the approval of: (1) a bulk variance pursuant to N.J.S.A. 40:55D-70(c) from the maximum impervious coverage percentage permitted in the AR District - ten percent (10%) permitted; 11.8% existing; and 15.6% proposed; and (2) a second driveway; and

WHEREAS, Guliet D. Hirsch, Esq. (“Hirsch”), of Archer & Greiner, P.C. appeared as the attorney for the Applicant; and

WHEREAS, the following exhibits were entered into evidence by Hirsch:

1. Application form and various materials (Exhibit A-1), including:
 - a. Cover letter from Hirsch, dated March 12, 2020;
 - b. Application for Development dated February 20, 2020;
 - c. Development Review Checklist, dated February 20, 2020;
 - d. Plan, consisting of one (1) sheet, entitled “Plot Plan for Block 6, Lot 11.13”, prepared by F. Mitchel Ardman, PE, signed and dated March 3, 2020; and
 - e. Resolutions of approval for preliminary major subdivision approval adopted July 1, 1987; final major subdivision approval adopted January 7, 1988; and amended preliminary and final major subdivision approval, adopted January 18, 1996 for Hickory Estates;
 - f. Floor plans, elevations and a building section, consisting of one sheet prepared by Robert M. Longo, AIA of Cornerstone Architectural Group, dated April 5, 2019 and revised March 6, 2020 (the “Architectural Plans”);
 - g. Proposed house addition plot plan prepared by F. Mitchel Ardman, P.E. of the Reynolds Group, Inc., consisting of one (1) sheet, labeled P-1 and dated March 6, 2020 (the “Engineering Plans”); and
2. Revised Architectural Plans, dated July 28, 2020 (Exhibit A-2); and
3. Revised Engineering Plans, dated July 28, 2020 and accompanying letter (Exhibit A-3); and

WHEREAS, the following exhibits were entered into evidence by Kara Kaczynski, Esq. (“Board Counsel”):

1. Memorandum of David J. Banish, PP/AICP (“Board Planner”), dated August 15, 2020 (Exhibit PB-1); and

WHEREAS, after being deemed complete and after the Applicant’s completion of the notice and publication requirements of the Municipal Land Use Law (the “MLUL”), the Application was called for and the Board proceeded with the public hearing on August 20, 2020 (the “Hearing”); and

WHEREAS, the following witnesses were sworn in and testified as fact or expert witnesses as noted on behalf of the Applicant:

1. Ken Schapiro (“Schapiro”);
2. Robert Longo, AIA of Cornerstone Architectural Group, the Applicant’s architect (“Longo”);
3. F. Mitchel Ardman, P.E. of the Reynolds Group, Inc., the Applicant’s engineer (“Ardman”); and
4. Elizabeth McManus of Kyle McManus, the Applicant’s Planner (“McManus”); and

WHEREAS, the Board heard testimony from the Board Planner and reviewed Exhibit PB-1, a copy of which is annexed hereto as Exhibit A; and

WHEREAS, Exhibit PB-1, was submitted to the Board and Hirsch and relied upon by the Board as evidence and expert testimony on behalf of the Board professionals in connection with the Application; and

WHEREAS, Hirsch advised the Board that:

1. The Property was originally part of the Hickory Estates subdivision and received a Certificate of Occupancy in 1989;
2. The Application proposes a new two (2) car garage in the basement area; an extension of the existing living area atop the garage on the first floor; and the conversion of a bedroom into a laundry room and the addition of a new bedroom on the second floor;
3. The Property is located in the Highlands Planning Area and not the Highlands Preservation Area; and

WHEREAS, Schapiro advised the Board that:

1. He has lived in Hunterdon County for his entire life and in the Property for twenty-four (24) years;
2. The addition of the two (2) garages are necessary to store a car and sporting equipment;
2. The addition on the first floor would increase the size of the kitchen;
3. A bedroom suite would be added to the third level and the entire home would be made "elevator ready" for possible future use by the Applicants’ parents;
4. He spoke with his three (3) closest neighbors and they are all very supportive of the Application; and

WHEREAS, Schapiro was presented to the public and the hearing was closed to the public without comment; and

WHEREAS, Longo advised the Board that:

1. The garage/basement addition would measure approximately 25' X 31' or 775 sf in size;
2. The first and second floor additions would measure approximately 25' X 23'4" or 585 sf in size;
3. The first and second floor additions connect to an existing deck measuring approximately 235 sf off the rear of the home;
4. The first floor addition will allow for the kitchen to extend into what was the dining room; and will provide for a new dining room; a pantry space and a small sitting area;
5. The second floor will contain a fourth bedroom with a full bath and walk-in closet and one of the other bedrooms will be converted into a laundry room;
6. The proposed roofline was purposefully designed to be lower than the existing roof;
7. The definition of height is based on the average grade around the perimeter of the house up to the average point of the highest point of the roof in the case of a sloped roof;
8. Because the garage is exposed, the basement grade was reduced and the home looks visually lower than it actually is;
9. The existing height of the home is 27'6" and based on the new grade would be increased to 29'9" which would still be below the maximum permitted height of 35'; and
10. The building materials and look of the exterior of the addition to the home would match the existing exterior; and

WHEREAS, Longo was presented to the public and the hearing was closed to the public without comment; and

WHEREAS, Ardman advised the Board that:

1. The Property measures 2.06 acres in size and is located at the north side of a cul-de-sac;
2. The home located on the Property is situated a significant distance away from the homes on the neighboring properties and slopes away from Hilltop Road;
3. The Property is also surrounded by wooded and park areas;
4. A profile of the proposed driveway was provided to the Board showing it would be located on the west side of the Property and slope down to a paved area in front of the proposed garage addition;

5. A drain system would be installed in order to address the additional impervious area, specifically an inlet at the bottom of the driveway which the roof drains would be tied into and ultimately piped to a drywell measuring 6' in diameter;
6. The proposed additional impervious area measures less than one-quarter (1/4) of an acre and thus the proposed development is exempt from the stormwater management rules, but the Applicant nevertheless included a drywell to manage runoff;
7. The grading of the Property will ensure that there is no runoff onto Hilltop Road;
8. Placing the proposed driveway along the front of the Property would not be amenable from an aesthetic standpoint, would disturb the features in front of the Property and would be located in close proximity to the septic system;
9. Placing the driveway in the proposed location would disturb a minimal number of trees, provide for the best maneuverability and minimize its appearance by the adjacent wooded area;
10. Constructing the driveway out of asphalt stabilizes the driveway and will provide for greater longevity; and
11. The steepest grade of the Property is at fifteen percent (15%) along the first 75' of the Property; and

WHEREAS, Ardman was presented to the public and the hearing was closed to the public without comment; and

WHEREAS, McManus advised the Board that:

1. The Property is significantly undersized as it is only 2.068 acres where 10 acres is required;
2. The Township ordinances, specifically Section 115-60, provides limited set-back relief for existing non-conforming and undersized lots within the Township, but not for lot coverage;
3. The undersized acreage of the Property is a hardship and contributes to the need for the bulk variance relief requested as required by the MLUL at N.J.S.A. 40:55D-70(c)(1);
4. N.J.S.A. 40:55D-70(c)(1) permits a variance to be granted if a hardship exists that is specific to the property, such as one that is a function of its narrowness, shape or unique physical features;
5. If the Property were conforming in lot size, the existing and proposed impervious coverage would be approximately 3.3%, well below the permitted 10% maximum;

6. The existing features on the Property as previously testified to contribute to the hardship;
7. The Board must also analyze whether the granting of the variances would cause any substantial detriment to the public good or any substantial detriment to the zone plan and zoning ordinance;
8. In her expert planning opinion, she sees no such substantial detriment and in fact, almost no detriment at all;
9. The public good would benefit from the proposed development and the granting of the relief requested in light of the stormwater mitigation and the installation of the proposed inlet and drywell;
10. The proposed development and the granting of the relief requested will not visually impact the neighboring properties for the reasons previously testified to;
11. The proposed development and the granting of the relief requested does not impact the important points of the AR District, specifically preserving areas that are important and critical natural resources and preserving the open-air cultural character of the area;
12. The proposed development and the granting of the relief requested will not change the character of the Property or the area from an agricultural, rural one to something else;
13. The proposed development and the granting of the relief requested will also further the purposes of the Township's Master Plan, specifically, to identify and respond to existing and potential residential growth pressures in the Township while maintaining the rural character in an effort to promote current state planned policies and to encourage residential development in areas of the Township leaving other areas relatively free for agricultural open space and in that manner to help serve the agricultural recreational conservation needs in the region; and
14. Granting the Application and the relief requested will allow the Applicants to be able to stay within their home and their community; and

WHEREAS, McManus was presented to the public and the hearing was closed to the public without comment; and

WHEREAS, the Application was opened up for public comment and closed to the public without comment; and

WHEREAS, the Board deliberated the issue and made the following **FINDINGS, CONCLUSIONS** and **DETERMINATIONS**:

1. All **WHEREAS** paragraphs above are incorporated below as if specifically set forth therein;

2. N.J.S.A. 40:55D-70(c), in pertinent part, grants the Board the power to hear and decide requests for approvals of bulk variances from the requirements of the Township ordinance in accordance with the MLUL; and
3. With regard to the Applicant's requests for variances, N.J.S.A. 40:55D-70(c)(1) states that "Where; (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act [40:55D-62 et seq.] would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship"; and
4. Variances pursuant to N.J.S.A. 40:55D-70(c)(1) known as "hardship" variances are not available for self-created situations and/or for mistakes. "Hardship" has been defined in numerous land use and zoning cases in New Jersey. As set forth above to qualify for "c(1)" variance relief, the "hardship" at issue does not have to rise to the level of confiscation. If the ordinance provisions at issue "inhibit . . . the extent" to which the property can be used, our courts have held that "hardship" to warrant a "c(1)" variance exists. Lang v. North Caldwell Board of Adjustment, 160 N.J. 41, 54-55 (1999). Unlike "hardship," however, "impracticable" has not been defined in any land use or zoning case of which the Board is aware. Following the basic rule of construction that legislative language should be given its plain and ordinary meaning, Pennsauken v. Schad, 160 N.J. 156, 170 (1999); DiProspero v. Penn, 183 N.J. 477, 492 (2005), the Board concludes that "impracticability" is derived from the root word "impractical," which is defined as "not wise to put into or keep in practice or effect"; an inability to deal "sensibly or prudently with practical matters."; and
5. Pursuant to the last unlettered paragraph of N.J.S.A. 40:55D-70, "no variance or other relief ... may be granted ... unless such variance or other relief ... can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance." The phrase "zone plan" as used in the N.J.S.A. 40:55D-70 means the Town "master plan." Medici v. BPR Co., 107 N.J. 1, 4, 21 (1987); and

WHEREAS, Board Counsel outlined the following conditions that the Board could consider in connection with making a motion concerning the Application:

1. Approval of a soil erosion sediment control permit from the Hunterdon County Soil Conservation District; and
2. Receipt of a driveway permit from the Township; and

WHEREAS, Kimsey made a motion to grant the Application and the relief requested subject to the conditions outlined by Kara Kaczynski (“Board Counsel”) and Fritsche seconded the same; and

WHEREAS, the Board deliberated and during its deliberations, carefully considered all of the testimony, the Application and exhibits and hereby made the following **FINDINGS, CONCLUSIONS AND DETERMINATIONS**:

1. All WHEREAS paragraphs above are incorporated below as if specifically set forth therein;
2. By way of testimony of the Applicant’s witnesses, the Applicant satisfied the statutory criteria for the granting of the relief requested;
3. Boards have inherent authority to impose conditions on any approval it grants. North Plainfield v. Perone, 54 N.J. Super. 1, 8-9 (App. Div. 1959), certif. denied, 29 N.J. 507 (1959). Further, conditions may be imposed where they are required in order for a board to find that the requirements necessary for approval of the application have been met. Alperin v. Mayor and Tp. Committee of Middletown Tp., 91 N.J. Super. 190 (Ch. Div. 1966); Eagle Group v. Zoning Board, 274 N.J. Super. 551, 564-565 (App. Div. 1994). Further, municipal ordinances and Board rules also provide a source of authority for a board to impose conditions upon a developmental approval. See, Cox and Koenig, New Jersey Zoning and Land Use Administration (Gann 2018), sections 28-2.2 and 28-2.3. Finally, boards have authority to condition approval on review and approval of changes to the plans by Board’s experts so long as the delegation of authority for review and approval is not a grant of unbridled power to the expert to approve or deny approval. Lionel Appliance Center, Inc. v. Citta, 156 N.J. Super. 257, 270 (Law Div. 1978).

NOW THEREFORE, based upon the above testimony, evidence and comments and the reasons articulated by the Board, the Board made and voted to approve a motion to grant the relief set forth above on August 20, 2020, as articulated by Board Counsel and Hirsch, subject to the conditions outlined by Board Counsel above and subject to the following additional conditions:

1. No further changes to the site plan or use(s) of the Property without approval by the Board;
2. The Applicant's payment of all professional and escrow fees of the Board and all other fees that may be required by the Township Ordinance in connection with the Application and any and all relief granted relative thereto, within thirty (30) day of receipt of an invoice for the same.

The motion to grant the relief outlined herein was approved by the following vote on August 20, 2020:

MOVED BY: Kimsey
 SECONDED BY: Fritsche

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Qualified</u>
Chairman Rochelle	X				
Mr. Papazian	X				
Mr. Fritsche	X				
Ms. Freedman	X				
Mr. Canavan	X				
Ms. Tucker	X				
Deputy Mayor Kiernan	X				
Committeeman Pfefferele	X				
Mr. Giannone				X	
Alternates: Mr. Pauch	X				
Mr. Kimsey				X	
Mr. Hahola				X	

Deputy Mayor Kiernan made a motion to approve the Resolution of Approval and **Fritsche** seconded the motion. Vote: **Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Tucker, and Deputy Mayor Kiernan. Abstain: Giannone. No Nays. Motion Carried.**

- **Special Event Ordinance**

Banisch advised he went through the minutes of the May meeting, and took everyone's comments to edit the Ordinance. He provided the changes in a marked up copy of the ordinance itself and provided a cover memo with each change made. **Banisch** reviewed the changes he made to the Ordinance in greater detail. He made an additional change to Significant Impact making a provision, if the special event makes a significant impact and is in violation of the Ordinance, then that special event can be ordered to immediately cease and desist by the Township Clerk, Engineer or Zoning Officer. This would be in the unlikely case where there is excessive light or noise causing a significant issue to the neighbor. The license holder would need to stop the special event which would be under Section C – Procedures #7. He will be adding another paragraph that says basically the licensee shall sign an acknowledgement that if the special event results in a significant impact they can be ordered to cease and desist.

Banisch continued with additional changes to fees.

Section E. Fees. (page 6)

1. Section E has been revised to require an application escrow deposit to be replenished when necessary to pay the expenses for the Township's professional(s) to review the application. The application fee is reduced, the pre-application fee increased, and a separate category for an application Escrow Fee is added. This section has been revised, as follows:

A. Fees.

- a. Application Fee:
 - i. Minor Special Event License: ~~\$200~~25.00
 - ii. Major Special Event License: ~~\$200~~50.00
- b. Pre-application Review: ~~\$50~~200.00 (Minor or Major License)
- c. Application Review Escrow Deposit:
 - i. Minor Special Event License: \$200.00
 - ii. Major Special Event License: \$500.00
- d. Special Event License renewal fee: \$100. (see Sec. C.8. above)

NOTE: The Application Review Escrow Deposit shall be used to pay professional expenses for reviewing a Special Event License Application for consistency with ordinance requirements. The Applicant shall replenish the Escrow Deposit to the full amount required when the initial deposit is depleted. If the Applicant does not replenish the Escrow when needed, the professional's review of the application shall discontinue until the Escrow is replenished. The actual cost of professional review of the Application shall be based on the complexity of the application and the quality of the information submitted by the applicant. When insufficient information is submitted by the applicant, professional review fees and the time required to approve or deny application will be extended.

The provision says that it needs to be replenished. If it is not replenished then review of the application will stop. It shifts the fee from the application fee to an escrow, in the case that the application is a complex one and requires a lot of review.

The next revision is for F.9. Section 1. Visitor Management - a modification to what has to be shown on the sketch plan. There was concern about a large farm and having to show information about adjacent residents to 200' within the entire farm instead of just 200' within the special event activity area on a farm.

"... The sketch plan shall include parcel boundaries and a brief description of adjoining land uses and roads and the number of residential dwellings located off-site within 200' of all residential parcel boundaries. In the case of a farm, the sketch plan shall identify the number of residential dwellings within 200' of the area of the farm upon which the special event is proposed to take place, including all special event parking and activity areas.

He briefly discussed the revision to sections 1, 3, & 6. And lastly discussed Section 8. the appeals provision.

Subsection 8. Conditions of Approval has been added, as follows:

8. Conditions of Approval. Where, in the judgment of the Township Clerk, Engineer and/or Township Committee it is determined that the nature of a special event activity, or site raises concerns related to operation of the event and potential impacts to the surrounding area, a Special Event License may be issued subject to conditions of approval to be satisfied prior to, during or following the special event. By way of example but not limitation, in the case of a noise or sound concern, the applicant may be required to provide sound measurements documenting the level of noise to be generated.

- v. Appeal. An interested party residing on residential property within 200' of the proposed Special Event License property may appeal the issuance of a Special Event license to the Township Committee. The appeal shall be filed by submitting a notarized letter to the Township Clerk within 10 days of the date of newspaper publication or within 10-days of the date of the certified mail notice received from the Special Event License applicant. Such objection shall clearly state the bases for an objection, including but not limited to ~~objections~~ to potential noise, light and traffic impacts ~~related to quiet enjoyment~~ of a residential property within 200' of the Special Event property. The Township Committee normally meets twice monthly on the 2nd and 4th Wednesday of the month. The Township Clerk shall schedule the objection to be heard at a regular Township Committee meeting.

æ. Appeal procedure. The Township Committee shall hear and decide all appeals to issuance of a Special Event License.

- i. An appellant shall appear before the Alexandria Township Committee to present an in-person verbal explanation of objections to the application for issuance of a proposed Special Event License ~~The appellant's appearance shall be the next regularly scheduled Township Committee meeting following the filing of the appellant's Appeal.~~

1. Where reasonably practicable, an appellant shall provide evidence in support of their objection(s) to the Special Event License application.
- ii. The Applicant for a Special Event License shall have the right to answer an objection filed with the Township Committee.
- iii. An objection to a Special Event License application if the Applicant is not in attendance, which may delay issuance of a Special Event License.
- iv. After hearing objections from the Appellant and an answer by the Applicant for a Special Event License, the Township Committee shall decide whether to issue, deny, or approve the Special License with conditions.

Banisch also advised that he received a comment from **Freedman** regarding the wording of Appeal iii. "iii. An objection to a Special Event License application if the Applicant is not in attendance, which may delay issuance of a Special Event License." He suggested a revision "if the applicant is not in attendance, when an objection to their special event license application is heard by the Township Committee, issuance of the special event license may be delayed." In other words, the Township Committee may not take action on the objection and the license may not be issued if the people applying for the special event license do not show up at the appeal. **Banisch** advised that **Kaczynski** has concerns about the appeal provision. The way the ordinance is written only people that reside within 200' are given the opportunity for an appeal. She believes this affects due process. Everyone should be given the right to appeal but once the appellant is in front of the township committee, it is likely that the township committee will give greater weight to the objector who lives within 200' than the objector who lives across town. There may be a modification for that concern.

Comments from the Board

Giannone advised the changes were fine, however that he is not in favor of activities on a property that is not farm assessed, therefore he does not support the ordinance. **Banisch** commented that the Township Committee wanted to make this opportunity available to every resident in town, irrespective of whether or not they are on a farm qualified piece of property and so it is written in this way not to deny a resident an opportunity for this if they have an idea of something they want to do. **Chair Rochelle** advised this is a draft going to the Township Committee and not necessarily the final revision. **Tucker** commented that on page 4 of the ordinance under Registration, b. whether an applicant is an Alexandria Township resident landowner or resident family member, needs to be revised to read the same as the definition of Applicant. Page 4 is missing the "or an LLC, where the primary member is an Alexandria Township resident". **Canavan** added that he has a concern regarding implementing the Ordinance during this time. **Kaczynski** advised we could delay it but once sent to the committee with the recommendation to review it. **Canavan** felt that it would be a burden to someone to try to apply for a special event license at this time due to the offices being closed to the public and the requirements of the application possibly affecting small businesses. **Banisch** advised that the zoning officer is empowered during an emergency to review plans for activities such as outdoor seating where zoning does not currently permit that with a local approval for as long as the emergency is in effect. **Kaczynski** advised that every town is different in their response to issuing approvals as in the example of sidewalk dining. **Chair Rochelle** felt it was not up to us to do, only to move the ordinance to the committee. He felt that this Ordinance was designed to provide a path for residents to hold a special event and be in compliance. **Kaczynski** added the comment that when we go into definition of Major and Minor special events, she wants to ensure that this is clear because there are different fees for both of them. When

looking at the definition of Major Special Event it says more than 25 vehicles and/or 50 or more attendees. She believes the Boards intent is to say if you have more than 25 vehicles or 50 or more attendees than that is a Major Special event. Essentially you could be in a situation where you have 25 vehicles and 30 attendees. She doesn't believe and/or should be in that definition. **Banisch** agreed that makes sense.

A motion was made to approve the revisions of the Special Event Ordinance to be sent to the Township Committee. A motion was made by **Kimsey** and seconded by **Tucker**. **Vote: Ayes: Chair Rochelle, Papazian, Freedman, Canavan, Tucker, Deputy Mayor Kiernan, Kimsey and Hahola. Nays: Fritsche and Giannone. Motion Carried.**

Approval of Bills

A motion was made to approve the bills for the professionals of the Land Use Board by **Fritsche** and seconded by **Freedman**. **Vote: Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Tucker, Deputy Mayor Kiernan, Giannone, Kimsey and Hahola. No Nays. Motion Carried.**

Comments from the Board/Public

None

Motion to Adjourn

A motion to adjourn was made by **Tucker** and seconded by **Kimsey** at 8:21pm. **Vote: Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Tucker, Deputy Mayor Kiernan, Giannone, Kimsey and Hahola. No Nays. Motion Carried.**

Leigh Gronau, Board Secretary